

**MINUTE SUMMARY OF THE
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF EDINA, MINNESOTA
CITY COUNCIL CHAMBERS
AUGUST 13, 2014
7:00 PM**

I. CALL TO ORDER

II. ROLL CALL

Answering the roll call were: Forrest Lee, Kilberg, Halva, Carr, Platteter, Staunton

Members absent from roll: Scherer, Olsen and Schroeder

III. APPROVAL OF MEETING AGENDA

Commissioner Platteter moved approval of the meeting agenda. Commissioner Carr seconded the motion. All voted aye; motion carried.

IV. APPROVAL OF CONSENT AGENDA

Commissioner Carr moved approval of the July 9 2014, meeting minutes with one correction. Commissioner Platteter seconded the motion. All voted aye; motion carried.

v. COMMUNITY COMMENT

Chair Staunton asked if anyone would like to speak; being none, Commissioner Lee moved to close community comment. Commissioner Forrest seconded the motion. All voted aye; public comment closed.

VI. PUBLIC HEARINGS

A. Variance. Urbanski. 5800 Start Avenue, Edina, MN

Planner Presentation

Planner Rothstein informed the Commission Jason and Molly Urbanski have submitted a variance application to allow the construction of a new home at the property at 5800 Stuart Avenue. They plan to tear their existing home down to the current foundation and re-construct the home on the same foundation in the same location as the current home. The homeowners currently have extensive patio/deck area with an in-ground swimming pool that they would like to remain on site.

Rothstein explained the plan includes a second story addition, a small addition of the rear of the home, and a re-orientation of the garage from Grove Street to Stuart Ave.

The home has excessive mold and has been uninhabitable for quite some time, with the owners living off-site. The plan is to remove the home for the purposes of mold abatement. The owners felt that it would be an opportune time to add onto the house to include an expansion west of the garage and a second story addition. All of the new additions conform to the setback and height requirements of the city code. However, the proposed first floor will have a different roof pitch than the original home.

Rothstein pointed out the current home is non-conforming for front and street side setbacks and lot coverage. It is located 16.9 feet from the Grove Street lot line and required setback is 29.6 feet (the setback of the adjacent home). The current home is located 9.9 feet from the southern property line, and the side yard setback is 10 feet minimum. The rebuilt home will remain at the same setbacks as the existing home from the front, side street and side yard lot lines and the additions meet the city code standards for setback (given the provision to allow for a moderate expansion of a legal, non-conforming use). Also, the rebuilt home will not increase the non-conformity of the lot coverage overages, as the only additions will replace existing patio areas.

The Environmental Engineer has reviewed this application, and his memo is included in the packet. There are no major issues associated with this application.

Rothstein concluded that staff recommends approval of the variances based on the following findings:

- a) The proposed lot coverage is not increasing with the request to construct a new home – existing lot coverage is being maintained;
- b) The encroachments into the setbacks are existing nonconforming setbacks that were established when the original home was built in 1961 and was conforming at that time, and the existing nonconforming setbacks are causing a practical difficulty in keeping the foundation and building in a conforming location.

approval of the variance is also subject to the following conditions:

- 1) The home must be construction per the proposed plans date stamped:

Survey dated: May 13, 2014

Building plans and elevations dated: April 24, 2014

- 2) Compliance with the Environmental Engineer's memo dated August 1, 2014.

Appearing for the Applicant

Jason and Molly Urbanski, Brad Schowen

Applicant Presentation

Mr. Schowen told the Commission the new home will be constructed on the existing foundation. Schowen explained that the reason for the teardown to the basement walls was because the existing house had issues with mold and the only way to abate the mold was a complete teardown.

Discussion

Commissioner Forrest commented that to her a majority of the yard appeared to be pool and decking. Forrest asked if the pool decking exceeded what's required by code. Planner Rothstein replied that the pool and the required 4-feet of decking are not included in lot coverage. All other decking is included in lot coverage minus an 150 square foot onetime credit for deck or patio.. Concluding, Rothstein stated the lot coverage requirement for this lot is 25%, adding lot coverage shouldn't be confused with "hard cover."

Public Testimony

Chair Staunton opened the public hearing and asked if anyone would like to speak to the issues; being none, Commissioner Lee moved to close the public hearing. Commissioner Carr seconded the motion, all voted aye; motion carried.

Discussion

Commissioner Carr stated as submitted she supports the variance, adding it makes sense to her.

Commissioner Lee said her concerns are with tot coverage, adding the site is over on lot coverage and since the house is being rebuilt the Commission has the opportunity to mitigate the non-conformity. Continuing, Commissioner Lee said the City is very sensitive to drainage issues, reiterating this may be the opportunity to correct the overage.

Commissioner Forrest stated she agrees with Commissioner Lee's comments, adding she would like to see any non-essential hard surfaces removed. Commissioner Lee stated she agrees with Forrest and pointed out this is new construction providing the applicant with options.

Commissioner Carr stated both Commissioners Lee and Forrest raised good points. Carr asked if they had suggestions for the applicant. Lee said she would like to see the applicant keep to the 25% lot coverage requirement as much as possible, adding is it possible to reduce the size of the new house.

Ms. Urbanski told the Commission she understands their concerns. She added when the pool was put in nothing was said about being over on lot coverage.

Chair Staunton said the mold situation is unusual and it may be unfair to ask them to reduce the size of their house.

Commissioners agreed however, pointed out the site has so much hard surface suggesting if the house isn't reduced some of the existing hard surface could be taken out.

Commissioner Carr suggested that the driveway could be changed out to pervious pavers which would reduce drainage concerns. Commissioner Lee agreed that would be a good start; however it's very difficult with the plans submitted to make an educated guess on what's what. Lee said she was also concerned with storm water runoff.

B. Variance. Moyhian. 6212 Crest Lane, Edina, MN

Motion

Commissioner Platteter moved variance approval based on staff findings and subject to staff conditions. Commissioner Lee seconded the motion. All voted aye; motion carried 50-.

C. Conditional Use Permit. K. Alexander. 4603 Annaway Drive, Edina, MN

Planner Presentation

Planner Rothstein reported that Kathryn Alexander has submitted a Conditional Use Permit on behalf of the property owners to increase the first floor elevation 4.4 feet higher than the current first floor elevation in order to construct a new home at 4603 Annaway Drive. This property is located on the northernmost edge of Edina in the Rolling Green neighborhood and a portion of the property is located in the floodplain.

A Conditional Use Permit is required to allow the first floor elevation of the new home to exceed the first floor elevation of the existing home by more than one foot. The current home located at 4603 Annaway Drive has a first floor elevation at 889.3 feet above sea level. This neighborhood in Edina is located in a floodplain area, and the currently established floodplain elevation is 889.4. Therefore, the entire basement of the existing home is in the floodplain.

Continuing, Rothstein explained that City Code allows for the issuance of a conditional use permit to increase the first floor elevation of a new home over one foot above the existing home under one of the following circumstances:

- 1) To elevate the lowest level of the dwelling to an elevation of two feet above the 100-year flood elevation, as established by FEMA;
- 2) To elevate the lowest level of the dwelling to protect from groundwater intrusion;
- 3) To elevate the first floor elevation to the extent necessary to meet the state building code, city code, or statutory requirements;

Furthermore, a conditional use permit may only be issued if the proposed project fits the character of the neighborhood in height, scale, and mass.

Rothstein further explained that this property is situated at an elevation that is currently just above the floodplain. FEMA has submitted draft revisions to the existing floodplain elevation of 889.4 to increase the flood elevation to 891.0. The city has conducted an independent model and disputed the proposed FEMA elevation, suggesting instead a flood elevation of 890.0. Whatever the determination (891 or 890) a portion of this lot would be in the revised floodplain. Therefore, the applicant is seeking to establish a grade, low floor elevation at 892.0, which would be 1 (or 2 feet) above the newly established floodplain. City code requires a 2 foot separation between floodplain and lowest floor elevations. Furthermore, the building code now requires increased minimum ceiling height in basements and a minimum of 12 inch floor trusses.

In staff's analysis, the proposed home fits the character of the neighborhood with regard to height, scale, and massing. There have been several teardown/re-builds in this neighborhood, the proposed home is below the maximum height restrictions, and the large lots make it easier to meet requirements for lot coverage and setbacks. Therefore, the first floor elevation request meets the eligibility requirements for consideration of a conditional use permit.

Planner Rothstein concluded that staff recommends approval of the conditional use permit, as requested subject to the findings listed in the staff report, and subject to the following conditions:

1. The site must be developed and maintained in conformance with the following plans:
 - Survey date stamped June 23, 2014
 - Building plans and elevations date stamped June 23, 2014
2. Compliance with the conditions and comments listed in the Environmental Engineer's memo dated August 1, 2014.

Appearing for the Applicant.

K. Alexander, Alexander Design Group, Inc. and Nicole Jennings, property owner.

Discussion

A discussion ensued on basement ceiling height and if the building code has a minimum basement ceiling height requirement. Staff reported that the Uniform Building Code stipulates ceiling height at 7-feet minimum.

Applicant Presentation

Ms. Alexander reported that the subject lot is low laying in nature and has a drainage easement running through it. Alexander explained the main floor elevation would be 903.7 with the current house main floor at 899.3. Alexander explained the new basement elevation would be at 892, which is 1 (or 2-feet) above the newly established flood plain. Continuing, Alexander said all setbacks are met; the lot is large and very private. Concluding, Alexander stated the back yard would not be filled and drainage would remain fine with the overall height of the new home 2'8 ¾" below the required building height. Alexander asked for the Commissions support.

Chair Staunton asked if anyone would like to speak to the issue; being none, Commissioner Platteter moved to close the public hearing. Commissioner Carr seconded the motion. All vote aye; public hearing closed.

Motion

Commissioner Carr moved Conditional Use Permit approval based on staff findings and subject to staff conditions. Commissioner Platteter seconded the motion.

Commissioner Forrest commented that she feels the proposed ceiling height for the basement is too high; it could be lowered. She did acknowledge the new home when completed does meet the allowable building height.

Chair Staunton pointed out the height of the proposed house when completed remains below what's allowed, adding in his opinion the new house fits in well with the neighborhood. Staunton reminded Commissioners that this Conditional Use process is a "left over" from the variance moratorium. Concluding, Staunton stated the Commission may want to revisit this process.

Chair Staunton called for the vote; all voted aye; motion carried. 5-0.

D. Rezoning, Comprehensive Plan Amendment. Beacon Interfaith Housing. 3330 West 66th Street

Planner Presentation

Planner Rothstein informed the Commission to consider a redevelopment request of the existing TCF Bank building, located at 3330 66th Street by Beacon Interfaith Housing Collaborative (Beacon). The applicant proposes to remodel and expand the building into 39 units of small studio apartments for young adults who have experienced homelessness. The size of the units would range from 322-451 square feet. Each unit would contain a full kitchen and bathroom. The building would contain offices for on-site service providers and property management. There would also be a community area for residents; a fitness area; a computer lab and a laundry room.

Continuing, Rothstein told the Commission the site is 39,204 square feet in size. The existing bank is 18,179 square feet. The proposed addition would be 10,458 square feet. The building would remain two stories. The remodel of the building would retain the existing brick, and the addition would be brick with metal panels.

There would be 19 surface parking stalls. Proof of parking would total 37 total surface stalls. No enclosed parking is proposed. The applicants have indicated in their narrative that 18% of their residents have cars. Beacon anticipates that no more than 12 stalls would be required for residents. The maximum need for staff parking is 6 stalls. Therefore, they believe they would have adequate parking. Residents are expected to utilize the Metro Transit bus service available across the street at Southdale.

All of the 39 units would be considered affordable housing, and would apply towards the City and Met Council's goal for affordable housing.

Rothstein further explained that the Comprehensive Plan defines the site and area as RM, Regional Medical. The RM allows for senior housing on a case by case basis, however, does not allow other housing. Therefore, a Comprehensive Plan Amendment is required. Rothstein added this development proposal is subject to a two-step review process. The first step in the process is to obtain the following approvals:

1. A Comprehensive Guide Plan Amendment to allow affordable housing in addition to Senior Housing in the Regional Medical District.
2. Preliminary Rezoning from POD-1 Planned Office District-1, to PUD, Planned Unit Development and Preliminary Development Plan. (3/5 Vote of the City Council required.)

If the Comprehensive Plan Amendment, Preliminary Rezoning and Preliminary Development Plan are approved by the City Council, the following is then required for the second step:

1. Final Development Plan and Final Rezoning to a PUD.
2. Zoning Ordinance Amendment establishing the PUD District.

Rothstein further noted that the property is located within an area of the City that is designated as a “Potential Area of Change” within the 2008 Comprehensive Plan. The Comprehensive Plan states that within the Potential Areas of Change, “A development proposal that involves a Comprehensive Plan Amendment or a rezoning will require a Small Area Plan study prior to planning application. However, the authority to initiate a Small Area Plan rests with the City Council.” The City Council did not require a Small Area Plan during the Sketch Plan Review.

Planner Rothstein stated staff believes the proposed Comprehensive Plan Amendment is reasonable for the site for the following reasons:

1. Affordable housing is identified as a need in the Comprehensive Plan; and the proposed amendment would assist the City in meeting its established affordable housing goal with the Met Council of providing 212 new affordable housing units by the year 2020. This project would include 39 new affordable housing units toward that goal. That would make up 100% of the total units in the project.
2. The proposed density of 43 units per acre is reasonable, and within the density range suggested in the Comprehensive Plan of between 12-80 units per acre.
3. The RM District allows senior housing currently. The proposed affordable housing project would include units that are small in size generally similar to senior housing; and the residents within the proposed project typically do not drive, similar to senior housing. The proposed affordable housing project would generate less traffic than the existing bank facility.
4. The project would utilize sustainability principles. Most notable elements include: compliance with Minnesota Overlay and Guide to the 2011 Enterprise Green Communities Criteria; utilizing the existing building rather than a tear down; committing to a 15% energy savings; locating the building to make use of Metro Transit; impervious surface would be reduced by 6.9%; enhanced landscaping; making use of special construction material; installing a rain garden for storm water management; and pedestrian oriented design.
5. Project would meet the following additional Comprehensive Plan goals and objectives:
 - a) Promotion of a vision of community that is inclusive of a wide range of ages, incomes, and abilities and offers a wide range of housing options for Edina residents.
 - b) Promotion of lifecycle housing to support a range of housing options that meet people’s preferences and circumstance at all stages of life.
 - c) Encourage an integrated mix of building type, heights and footprints within blocks, rather than single buildings or building groups.
 - d) Incorporate principles of sustainability and energy conservation into all aspects of design, construction, renovation and long-term operation of new and existing development.

Rothstein explained the housing proposed by Beacon would not have a direct connection to the RM, Regional Medical District. The structure would be located several blocks from the hospital. There would not be a direct tie in to any medical use in the area.

The Regional Medical Zoning District contemplates a 10 acre minimum lot size. It is intended for larger medical type uses along with senior housing which benefits from being in close proximity to medical uses.

Planner Rothstein concluded that staff recommends that the City Council approve the request for a Comprehensive Plan Amendment to allow affordable housing in the RMD District subject to the following findings:

1. Affordable housing is identified as a need in the Comprehensive Plan; and the proposed amendment would assist the City in meeting its established affordable housing goal with the Met Council of providing 212 new affordable housing units by the year 2020. This project would include 39 new affordable housing units (100% of the projects units) toward that goal.
2. The proposed density of 43 units per acre is reasonable, and within the density range suggested in the Comprehensive Plan of between 12-80 units per acre.
3. The RM District allows senior housing currently. The proposed affordable housing project would include units that are small in size generally similar to senior housing; and the residents within the proposed project typically do not drive, similar to senior housing.
4. The project would utilize sustainability principles. Most notable elements include: compliance with Minnesota Overlay and Guide to the 2011 Enterprise Green Communities Criteria; utilizing the existing building rather than a tear down; committing to a 15% energy savings; locating the building to make use of Metro Transit; impervious surface would be reduced by 6.9%; enhanced landscaping; making use of special construction material; installing a rain garden for storm water management; and pedestrian oriented design.
5. The project would meet the following additional Comprehensive Plan goals and objectives:
 - a) Promotion of a vision of community that is inclusive of a wide range of ages, incomes, and abilities and offers a wide range of housing options for Edina residents.
 - b) Promotion of lifecycle housing to support a range of housing options that meet people's preferences and circumstance at all stages of life.
 - c) Encourage an integrated mix of building type, heights and footprints within blocks, rather than single buildings or building groups.
 - d) Incorporate principles of sustainability and energy conservation into all aspects of design, construction, renovation and long-term operation of new and existing development.

Rothstein further recommended the City Council approve the Preliminary Rezoning and approve the Preliminary Development Plan, based on the following findings:

1. Affordable housing is identified as a need in the Comprehensive Plan; and the proposed amendment would assist the City in meeting its established affordable housing goal with the Met Council of providing 212 new affordable housing units by the year 2020. This project would include 39 new affordable housing units toward that goal.
2. The proposed density of 43 units per acre is reasonable, and within the density range suggested in the Comprehensive Plan of between 12-80 units per acre. The proposed affordable housing project would generate less traffic than the existing bank facility.
2. The project would utilize sustainability principles. Most notable elements include: compliance with Minnesota Overlay and Guide to the 2011 Enterprise Green Communities Criteria; utilizing the existing building rather than a tear down; committing to a 15% energy savings; locating the building to make use of Metro Transit; impervious surface would be reduced by 6.9%; enhanced landscaping; making use of special construction material; installing a rain garden for storm water management; and pedestrian oriented design.
3. Project would meet the following additional Comprehensive Plan goals and objectives:
 - a) Promotion of a vision of community that is inclusive of a wide range of ages, incomes, and abilities and offers a wide range of housing options for Edina residents.
 - b) Promotion of lifecycle housing to support a range of housing options that meet people's preferences and circumstance at all stages of life.
 - c) Encourage an integrated mix of building type, heights and footprints within blocks, rather than single buildings or building groups.
 - d) Incorporate principles of sustainability and energy conservation into all aspects of design, construction, renovation and long-term operation of new and existing development.

Preliminary approval is also subject to the following conditions:

1. The Final Development Plan must be generally consistent with approved Preliminary Development Plans dated June 20, 2014.
2. Sustainable design. The design and construction of the entire project must be done with the Sustainable Initiatives as outlined in the applicant's narrative within the Planning Commission staff report.
3. All buildings must be built with sprinkler systems, subject to review and approval of the fire marshal.
4. Compliance with all of the conditions outlined in the director of engineering's memo dated July 15, 2014.
5. The Final Landscape Plan must meet all minimum landscaping requirements per Chapter 36 of the Zoning Ordinance.
6. The Final Lighting Plan must meet all minimum landscaping requirements per Chapter 36 of the Zoning Ordinance.

7. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.
8. Final Rezoning is subject to review and approval of the Metropolitan Council on the Comprehensive Plan Amendment.

Appearing for the Applicant

Lee Blons, Beacon Interfaith Housing Collaborative

Applicant Presentation

Ms. Blons addressed the Commission giving a brief history of Beacon Interfaith. Blons said this is their first in Edina and Beacon is collaborating with Edina Community Lutheran Church. Continuing, Blons reported that the 39 studio apartment unit project would serve suburban homeless young adults. Blons said they believe the location of 66 West is terrific. She pointed out it is located directly on a bus line and is within walking distance of retail and medical. Blons introduced Carol Lansing of Faegre and Benson and Bart Nelson of Urban Works.

Ms. Lansing reported that the term “affordable” housing isn’t a vague term it’s a recognized term.

Mr. Nelson with the aid of graphics gave a brief description of the units, parking stall count and the Proof of Parking agreement. Nelson also reported access to the site would be off Barrie Road. Continuing, Nelson said that per the request of the Commission the fence was removed to create a more welcoming site. Nelson said a rain garden would be incorporated and the vegetation planted would be at least 50% native plantings. Concluding, Nelson said the exterior of the building will have a contemporary look.

Continuing, Ms. Blons explained the concept for the project adding their intent is to build relationships between tenants and the neighborhood. The units are independent living with an on-site property manager. She further explained that multiple support services are provided, nutrition, independent living skills, etc., adding their intent is for all residents to have support. Blons reported there will be three full time staff to include overnight staffing. Blons thanked the Commission for their support.

Discussion

Commissioner Forrest asked if the residents of the building are considered permanent. Ms. Blons responded in the affirmative, adding the “stay” rate is usually six months to three years. Forrest asked how the project is funded. Blons responded that this type of project works backward. Approval is first; funding next. Continuing, Blons said a project like 66 West has diversified funding including private contributions. Forrest questioned age requirements. Blons responded the majority of the tenants are between 18 -21 years. Forrest further asked where the tenants come from. Blons explained that the majority of the tenants come through referrals. Forrest asked the turnover rate. Blons responded that 7-10 residents move in/out

throughout the year. Forrest questioned if the tenant mix will be male, female or both. Blons responded that hadn't been decided yet; however their other buildings service both young men and women.

Continuing, Forrest explained she is struggling with amending the Comprehensive Plan to include "affordable" housing in the RM guided area. Ms. Lansing told Commissioner Forrest that the Commission has the discretion on policy

Commissioner Platteter asked if the tenants are required to sign a lease. Ms. Blons responded in the affirmative, adding the residents are expected to comply with all requirements in the lease. She said if a tenant doesn't comply with the requirements their lease would be terminated, adding staff would guide them to other housing if appropriate. Commissioner Platteter questioned security/safety. Ms. Blons explained the entrances are secured entrances with security cameras. Platteter asked about the daytime hours. Blons said during the day staff is present and access is secured visitors can be "buzzed in".

Commissioner Platteter said in viewing the landscaping plan he would like to see additional landscaping added to the west. Mr. Nelson responded he would be willing to look at that. He added their goal is to save as many existing trees as possible.

A discussion ensued with Commissioners discussing the makeup of the proposed housing. It was acknowledged that what is requested is different from a "regular" apartment building. It's a residence with support services that include everything from nutrition to transition coaches. Some Commissioners suggested that the services provided at the proposed residence could be considered compatible with the Comp Plan RM guided area.

Public Hearing

Chair Staunton opened the public hearing.

The following spoke to the issue:

Sheila Rzepecki, 6617 Normandale Road, addressed the Commission.

Ms. Sims, 6433 Barrie Road, addressed the Commission.

Mrs. Prince, 7200 York Ave #602, addressed the Commission

Rev. Erik Strand, Edina Community Lutheran Church, 5732 Abbott Ave, addressed the Commission.

Marilyn Peters, 6429 Barrie Road, addressed the Commission.

Bill Davis, 6616 Cornelia Drive, addressed the Commission.

Ms. Wood, 6525 Drew Avenue, addressed the Commission.

Thomas Stone, Nicollet Square, #404, addressed the Commission.

MJ Bauer, 7609 Gleason Road, Addressed the Commission.

Pacy Erck, 6315 Colony Way, addressed the Commission.

Mikkel Beckman, Hennepin County, 318 East 38th Street, addressed the Commission

Tom Nelson, Kenwood/Lowry Hill neighborhood, addressed the Commission.

Robert Hobbins, 4708 Upper Terrace, addressed the Commission

Carol Truesdell, 9 Woodland Road, addressed the Commission.
Pastor Mary Albing, Lutheran Church of Christ the Redeemer, addressed the Commission.
Lynn Truesdell, 9 Woodland Road, addressed the Commission.
Jenette Augustson, 5000 Arden Avenue, addressed the Commission.
Floyd Grabel, 4817 Wilford Way, addressed the Commission.
Betsy Cruz, 8109 Dupont Ave., addressed the Commission.
Jon Good, 6816 Brittany Road, addressed the Commission.
Lisa Netzer, 6024 Timber Trail, addressed the Commission.
Linda Schmitz, 6483 Barrie Road, addressed the Commission.
Nate Schmeltzer, 132 West 62nd Street, addressed the Commission.
Maura Schnonbach, 6221 Balder Lane, addressed the Commission.
Marcia Kermeen, 232 Morgan Avenue, addressed the Commission.
Jennifer Rolfes, 7675 Woodview Court, addressed the Commission.
Lisa Thompson, 5500 Benton Avenue, addressed the Commission.
Rose Minor, 6519 Barrie Road, Step by Step Montessori, addressed the Commission.
Denise, Prior Lake addressed the Commission.
Sandy Perzinski, 6519 Barrie Road, Step by Step Montessori, addressed the Commission.
2007 West 61st Street, addressed the Commission.
Elizabeth Briden, 6525 Barrie Road, addressed the Commission.
David Coolaird, 7100 Metro Boulevard, addressed the Commission.
Bob Long, Larkin Hoffman, addressed the Commission
5100 Danens Drive, addressed the Commission
Father Tim Rudolphi, 6820 St. Patrick's Lane, addressed the Commission.
Adam Estrem, St. Stephens Church, addressed the Commission.
Rhonda Olson, 5109 Beard Avenue, addressed the Commission.
Janet Sullivan, 6832 Gleason Road, addressed the Commission.
Mark Swiggum, addressed the Commission.
Mark Chamberlin, 7004 Bristol Blvd., addressed the Commission.
Geoff Workinger, 5224 Kellogg Avenue, addressed the Commission.

Chair Staunton asked if anyone else would like to speak, being none Staunton thanked everyone for their input and asked for a motion to close the public hearing.

Commissioner Platteter moved to close the public hearing. Commissioner Carr seconded the motion. All voted aye; motion carried.

Discussion

Commissioner Kilberg commented that he is struggling with the request to PUD as submitted. Kilberg stated he's not convinced this isn't residential creep into a office/commercial neighborhood. Continuing, Kilberg said in his opinion the businesses have valid concerns about the proposed rezoning to PUD to allow housing. Concluding, Commissioner Kilberg reiterated this could be considered reverse creep; commercial to residential, not residential to commercial.

Commissioner Carr asked for clarification on the zoning/rezoning. Planner Rothstein explained

that currently the property is zoned POD-I, Planned Office District and is guided in the Comprehensive Plan (Comp Plan) as Regional Medical and earmarked as an area for potential change. The request before the Commission this evening is a Comp Plan Amendment and rezoning to PUD to allow housing other than senior.

A brief discussion ensued on the recently approved rezoning for 6500 France allowing senior housing. It was pointed out that aspects of that project are strictly tied to medical (assisted living; aftercare; hospice) and that coincides with the Regional Medical guide. The Commission acknowledged the current request is difficult because while the City encourages “affordable housing” there isn’t a specific zoning guide for that and to tie the “affordable” use to medical may be difficult.

Chair Staunton acknowledged this is a thriving medical area; however, the proposed housing does include support services and is a “cared” environment. Staunton said in his opinion this use “feels different” from market rate housing. It’s an environment that helps its residents on different levels. Commissioner Platteter agreed, adding this is just the other end of the spectrum. The elderly need support services and so do these young adults.

Commissioner Forrest said the request is creating interesting tension. She pointed out on one hand the City has a mandate to provide affordable housing opportunities; however, the means to provide it are limited. Forrest also pointed out the site isn’t zoned RMD it’s only guided RM in the Comp Plan. Zoned and guided are two different things. Continuing, Forrest said there must be a way to craft language that would allow this use in the Regional Medical similar to a senior housing use in RM guided areas. Concluding, Forrest also pointed out if the City stays strictly to how an area is guided there are a number of uses in the area “guided” Regional Medical that don’t meet the definition.

Commissioner Carr said she can’t support the proposal as presented. She stated it’s not consistent with the Regional Medical District Comp Plan guide classification, adding the neighbors in her opinion have raised valid points, adding this could be considered spot zoning.

Chair Staunton said the Commission could eliminate the word affordable and say housing located in an area guided as Regional Medical must include support services. Commissioner Forrest said she agrees, adding her concern is with the word “affordable” adding it’s a language thing.

Chair Staunton agreed “affordable” housing doesn’t solve it; there needs to be a mention of housing linked with care/support services that maintains the values of the Comp Plan and its goal of affordable housing.

Commissioner Carr said whatever the Commission decides, if the Comprehensive Plan is Amended, it’s a significant change. She said a change like this may warrant more public input, adding it’s clearly not medical related.

Chair Staunton pointed out if the sticking point is amending the Comprehensive Plan the Commission should note without an amendment to the Comp Plan the project as proposed

can't move forward.

Motions

Commissioner Platteter moved to recommend amending the Comprehensive Guide Plan based on staff findings and subject to staff conditions. Commenting further, Platteter stated he doesn't like the use of the word "affordable" suggesting that it be changed to "housing with support services". Motion failed for lack of second.

Commissioner Carr moved to recommend denial of the request for an amendment to the Comprehensive Guide Plan to allow affordable housing in the Regional Medical District. Commissioner Forrest seconded the motion. Ayes; Forrest, Lee, Carr. Nays; Platteter, Staunton. Motion to deny carried 3-2 vote

A discussion ensued with some Commissioners expressing the opinion that while they support the project their issue is with the word "affordable" as written in the proposed guide plan amendment. Commissioners said they are struggling to find an appropriate way to approve an amendment to the Comprehensive Plan; however, are at a loss in clarifying their intent.

Commissioner Forrest asked Attorney Knutson if a motion could be made that was more general in terms. Forrest said it's difficult to have the exact language "on the spot". Attorney Knutson responded the Commission is advisory, adding they can recommend anything to the Council for their consideration.

Commissioner Forrest moved to recommend amending the Comprehensive Guide Plan/Regional Medical by incorporating guidelines/goals/requirements that would allow this type of project in the Regional Medical. Commissioner Lee seconded the motion. Ayes; Forrest, Lee, Platteter. Staunton. Nay; Carr. Motion carried 4-1.

Commissioner Platteter moved to recommend preliminary rezoning from POD-I, Planned Office District-I to PUD, Planned Unit Development. Commissioner Lee seconded the motion. Ayes; Platteter, Forrest, Lee, Staunton. Nay; Carr. Motion carried 4-1.

VII. CORRESPONDENCE AND PETITIONS

Chair Staunton acknowledged back of packet materials.

VIII. CHAIR AND COMMISSION COMMENTS